



PAUL R. LePAGE
Governor

DARRYL BROWN
Director

**ADVANTAGES OF MUNICIPAL ADOPTION OF A COMPREHENSIVE PLAN
CONSISTENT WITH THE PLANNING AND LAND USE REGULATION ACT
(30-A, M.R.S.A. §4301 et seq.)**

Note: The Planning and Land Use Regulation Act is commonly referred to as the Growth Management Act

1. An adopted consistent comprehensive plan is legally required to substantiate any zoning ordinance (that regulates land area beyond the minimum required in the state shoreland zoning guidelines), *see 30-A, M.R.S.A. §4314.*
2. An adopted consistent comprehensive plan is legally required to substantiate any impact fee ordinance, *see 30-A, M.R.S.A. §4314.*
3. An adopted consistent comprehensive plan is legally required to substantiate any rate of growth ("building cap") ordinance, *see 30-A, M.R.S.A. §4314.*
4. An adopted consistent comprehensive plan, while not specifically required to substantiate other types of ordinances, provides the most solid legal footing to all land use and related ordinances by providing clear municipal policy intent within the parameters of state law.
5. Zoning ordinances enacted pursuant to an adopted consistent comprehensive plan, if determined by SPO to be consistent with the plan, become binding on state agencies (Governor can override if state interests are overly frustrated), *see 30-A, M.R.S.A., §4352.6.*
6. State growth related capital investments may only be made within a growth area designated within an adopted consistent comprehensive plan or one of the following growth area surrogates: sewer and water district, census designated place or urban compact area, *see 30-A, M.R.S.A., §4349-A.1.*
7. State agencies are directed to award preference for many state grant and investment programs to municipalities with an adopted consistent comprehensive plans, *see 30-A, M.R.S.A. §4349.3.*
8. State agencies are directed to assist municipalities with an adopted consistent comprehensive plan with plan implementation, *see 30-A, M.R.S.A. §4349-A.2-A.*
9. The most important advantage of adopting a consistent comprehensive plan is creating a highly participatory and official public statement describing the desired future for your community! In doing so, your municipality is contributing to a larger effort in concert with your neighbors to attain the State's Growth Management Goals and Coastal Policies.
10. Consistency of comprehensive plan and zoning ordinance is one component for eligibility for Natural Resource Protection Act (NRPA) permit granting authority, *see 38, M.R.S.A., §480-F.1.B.*

Note: This list reflects the interpretation of the Land Use Planning Team of the State Planning Office, who are charged with implementing the Planning and Land Use Regulation Act. This list is not meant to render a legal opinion. We recommend contacting the Maine Municipal Association or municipal attorney if an official legal interpretation is needed. Date last modified: October 26, 2011